| | | UTILITY PATENT APPLICATION TRANSMITTAL (Only for new nonprovisional applications under 37 CFR 1.53(b)) | | | | |
|--------|-----------------------------|--|------|--|--|--|
| | | et No. <u>42P18118</u> | ٥ | | | |
| | imum 12 charac Named Inv | ^{ters)} ✓ ntorRothman et al. | . 58 | | | |
| Title: | PUSHI | NG CAPABILITIES INTO FIRMWARE BY AN OPERATING SYSTEM | U.S | | | |
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| Expr | ess Mail L | abel NoEV320119594US | 1749 | | | |
| ADDI | RESS TO: | Mail Stop Patent Application | | | | |
| | | Commissioner for Patents | | | | |
| | | P.O. Box 1450 Alexandria, Virginia 22313-1450 | | | | |
| | | | | | | |
| | | I ELEMENTS apter 600 concerning utility patent application contents. | | | | |
| 1. | X | Fee Transmittal Form (e.g., PTO/SB/17) | | | | |
| ٠. | | (Submit an original and a duplicate for fee processing) | | | | |
| 2. | | Applicant Claims Small Entity Status. (37 CFR 1.27) | | | | |
| 3. | _X | Specification (Total Pages 22) | | | | |
| | | (preferred arrangement set forth below) - Descriptive Title of the Invention | | | | |
| | | - Cross Reference to Related Applications | • | | | |
| | | - Statement Regarding Fed sponsored R & D - Reference sequence listing, a table, | | | | |
| | | or a computer program listing appendix - Background of the Invention | | | | |
| | | - Brief Summary of the Invention | | | | |
| | | - Brief Description of the Drawings (if filed) - Detailed Description | | | | |
| | | - Claim(s) - Abstract of the Disclosure | | | | |
| | | - Abstract of the Disclosure | | | | |
| 4. | <u>X</u> | Drawings(s) (35 USC 113) (Total Sheets <u>5</u>) | | | | |
| 5. | <u>X</u> | Oath or Declaration (Total Pages <u>5</u>) | | | | |
| | | a. X Newly Executed (Original or Copy) | | | | |
| | | b Copy from a Prior Application (37 CFR 1.63(d)) (for Continuation/Divisional with Box 18 completed) | | | | |
| | | i. <u>DELETIONS OF INVENTOR(S)</u> Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b). | | | | |
| | | c Unsigned. | | | | |
| 6. | | Application Data Sheet. (37 CFR 1.76) | | | | |
| 7. | | CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix) | | | | |
| 8. | | Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary) | | | | |
| | a | Computer Readable Form (CRF) | | | | |
| | b | Specification Sequence Listing on: | | | | |
| | | iCD-ROM or CD-R (2 copies); or ii paper | | | | |
| | • | Statements verifying identity of above copies | | | | |

| | ACCOMPANYING APPLICATION PARTS | | | | | | |
|---|---|--|--|--|--|--|--|
| 9. <u>X</u> | Assignment Papers (cover sheet & documents(s)) | | | | | | |
| 10 | a. Separate 37 CFR 3.73(b) Statement (where there is an assignee) | | | | | | |
| <u>x</u> | b. Power of Attorney | | | | | | |
| 11 | English Translation Document (if applicable) | | | | | | |
| 12. | a. Information Disclosure Statement (IDS)/PTO-1449 (or PTO/SB/08) | | | | | | |
| | b. Copies of IDS Citations | | | | | | |
| 13 | Preliminary Amendment | | | | | | |
| 14. <u>X</u> | Return Receipt Postcard (MPEP 503) (Should be specifically itemized) | | | | | | |
| 15 | Certified Copy of Priority Document(s) (if foreign priority is claimed) | | | | | | |
| 16 | Nonpublication Request under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent. | | | | | | |
| 17A | Claim for Foreign Priority | | | | | | |
| 17B. <u>X</u> | Other: <u>separate sheet with title, express mail label number, copy of postcard, and attorney's signature</u> | | | | | | |
| 17C. <u>X</u> | Pursuant to 37 C.F.R. 1.136(a)(3), applicant(s) hereby request and authorize the U.S. Patent and Trademark Office to (1) treat any concurrent or future reply that requires a petition for extension of time as incorporating a petition for extension of time for the appropriate length of time and (2) charge all required fees, including extension of time fees and fees under 37 C.F.R. 1.16 and 1.17, to Deposit Account No. 02-2666. | | | | | | |
| 18. 'If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title (e.g., by way of preliminary amendment), or in an Application Data Sheet Under 37 C.F.R. 1.76: | | | | | | | |
| Of Prior App | ontinuation Divisional Continuation-in-part (CIP) continuation No.: Examiner Group Art Unit continuation/ divisional/ CIP of prior application no. continuation/ divisional/ CIP of prior application no. (List entire chain of priority) | | | | | | |
| For CONTINUA an oath or dec continuation of | Also include a Preliminary Amendment to amend the specification to claim priority. ATION AND DIVISIONAL APPS only: The entire disclosure of the prior application, from which laration is supplied under Box 5b, is considered a part of the disclosure of the accompanying or divisional application and is hereby incorporated by reference. The incorporation can only when a portion has been inadvertently omitted from the submitted application parts. | | | | | | |
| | spondence Address mer Number or Bar Code Label | | | | | | |
| here) X Corre | or (Insert Customer No. or Attach Bar Code Label spondence Address Below atthony H. Azure | | | | | | |
| BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP ADDRESS 12400 Wilshire Boulevard Seventh Floor | | | | | | | |
| CITY <u>Los Ang</u> Country <u>U</u> | | | | | | | |
| Name (PRINT/TYPE):Apthony H. Azur Registration No.: 52,580 | | | | | | | |
| Signatur : | 1. N. Jus Date: Dec. 29, 2003 | | | | | | |

| | | | FEE TRANSMITTAL FOR FY (FY 2004 Begins 10/01/2003) | 2004 | |
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| | | | TOTAL AMOUNT OF PAYMENT (\$) |) 932.00 | |
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| | | ew Pater | nt Application | | |
| | | Rothma | n et al | | |
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| Not ye | et assigne | ed | | | |
| / Docket | No. <u>42</u> | P18118 | | <u> </u> | |
| _ Appl | licant cla | ims sm | all entity status. See 37 CFR 1.27. | | |
| DD OF | PAYMEI | NT (che | ck all that apply) | | |
| Chec | k | _ Cred | it Card Money Order | Other None | |
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| | | | Number: <u>02-2666</u> | | |
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| | incorp | orating a | n appropriate petition for extension of time | e and all required fees should be charged. | |
| | Charge | fee(s) ir | ndicated below <u>except for the filing fee</u> | . | |
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| | | | Fee Description | Fee Paid | |
| 770 | 2001 | 385 | | 770 | |
| 340 | 2002 | 170 | Design application filing fee | | |
| | 2003 | 265 | | | |
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| 160 | 2005 | 80 | Provisional application filing fee | | |
| | | | | SUBTOTAL (1) \$ 770 | |
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| RA CL | AIM FEE | S FOR | UTILITY AND REISSUE | | |
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| | | | <u>Extra Claims</u> | below Fee Paid | |
| laims | _22 | | - 20 ** = | X <u>18</u> = <u>36</u> | |
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| | App OD OF Chec Depos The Di X X ALCUL Entity Fee (\$) 770 340 530 770 160 CRA CL Claims Indent Inden | Applicant cla DD OF PAYMER Check Deposit Account Deposit Account Deposit Account Charge X Credit a X Charge X Any condincorp Charge ALCULATION SIC FILING FEE Intity Small I Fee Fee (\$) Code 770 2001 340 2002 530 2003 770 2004 160 2005 CRA CLAIM FEE Claims 22 Indent Claims 1 Indent Claims 1 Indent Claims 2 Indent Claims 2 Indent Claims 3 Indent Claims 3 Indent Claims 4 Indent Claims 5 Indent Claims 6 Indent Claims 6 Indent Claims 7 Indent Claims 7 Indent Claims 8 Indent Claims 9 Inde | ation No. New Pater Date Herewith Amed Inventor Rothman Programmed Inventor In | TOTAL AMOUNT OF PAYMENT (\$ te if Known: tition No. New Patent Application No. New Patent Application Not Payment (\$ te if Known: tition No. New Patent Application Not Payment (\$ te if Known: tition No. New Patent Application Not Payment (\$ te if Known: Payment (\$ te if Known: Rothman et al. Payment (\$ te if Known: Not yet assigned Not yet assigned Not yet assigned Not yet assigned (\$ to Check Not Payment (\$ te if Known: Not Yet assigned Not Yet Payment (\$ te if Known: Not Yet Payment (\$ te if Yet Pay | te if Known: tition No. New Patent Application late Herewith med Inventor Rothman et al. er Name Not yet assigned Not yet assigned / Docket No42P18118 |

FEE CALCULATION (continued)

3. ADDITIONAL FEES

| Large I | Entity | Small E | intity | | |
|---------|--------------|---------------|---------------------------------------|---|-------------|
| Fee | Fee | Fee | Fee | | |
| Code | (\$) | Code | (\$) | Fee Description | Fee Paid |
| 1051 | 130 | 2051 | (Ψ) 65 | Surcharge - late filing fee or oath | reeraiu |
| 1052 | 50 | 2052 | 25 | Surcharge - late provisional filing fee or cover sheet | |
| 1053 | 130 | 1053 | 130 | Non-English specification | |
| 1812 | 2,520 | 1812 | 2,520 | For filing a request for ex parte reexamination | |
| 1813 | 8,800 | 1813 | 8,800 | Request for inter parties reexamination | |
| 1804 | 920* | 1804 | 920* | Requesting publication of SIR prior to Examiner action | |
| 1805 | 1,840* | 1805 | 1,840* | Requesting publication of SIR after Examiner action | |
| 1251 | 110 | 2251 | 55 | Extension for reply within first month | |
| 1252 | 420 | 2252 | 210 | Extension for reply within second month | |
| 1253 | 950 | 2253 | 475 | Extension for reply within third month | |
| 1254 | 1,480 | 2254 | 740 | Extension for reply within fourth month | |
| 1255 | 2,010 | 2255 | 1,005 | Extension for reply within fifth month | |
| 1401 | 330 | 2401 | 165 | Notice of Appeal | - |
| 1402 | 330 | 2402 | 165 | Filing a brief in support of an appeal | |
| 1403 | 290 | 2403 | 145 | Request for oral hearing | |
| 1451 | 1,510 | 1451 | 1,510 | Petition to institute a public use proceeding | |
| 1452 | 110 | 2452 | 55 | Petition to revive – unavoidable | |
| 1453 | 1,330 | 2453 | 665 | Petition to revive - unintentional | |
| 1501 | 1,330 | 2501 | 665 | Utility issue fee (or reissue) | |
| 1502 | 480 | 2502 | 240 | Design issue fee | |
| 1503 | 640 | 2503 | 320 | Plant issue fee | |
| 1460 | 130 | 1460 | 130 | Petitions to the Commissioner | |
| 1807 | 50 | 1807 | 50 | Processing fee under 37 CFR 1.17(q) | |
| 1806 | 180 | 1806 | 180 | Submission of Information Disclosure Stmt | |
| 8021 | 40 | 8021 | 40 | Recording each patent assignment per | |
| | | | | property (times number of properties) | 40 |
| 1809 | 770 | 2809 | 385 | For filing a submission after final rejection | |
| | | | | (see 37 CFR 1.129(a)) | |
| 1814 | 110 | 2814 | 55 | Statutory Disclaimer | |
| 1810 | 770 | 2810 | 385 | For each additional invention to be examined | |
| | | | | (see 37 CFR 1.129(b)) | |
| 1801 | 770 | 2801 | 385 | Request for Continued Examination (RCE) | |
| 1802 | 900 | 1802 | 900 | Request for expedited examination of a design application | |
| 1504 | 300 | 1504 | 300 | Publication fee for early, voluntary, or normal pub. | |
| 1505 | 300 | 1505 | 300 | Publication fee for republication | |
| 1803 | 130 | 1803 | 130 | Request for voluntary publication or republication | |
| 1808 | 130 | 1808 | 130 | Processing fee under 37 CFR 1.17(i) (except provisionals | |
| 1454 | 1,330 | 1454 | 1,330 | Acceptance of unintentionally delayed claim for priority | |
| Other f | fee (specify | <i>(</i>) | | | |
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| | - 11 - 5 - 1 | | D | SUBTOTAL (3) \$_ | 40 |
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| SUBM | IITTED BY | : | | | |
| | | d Name: | Anthon | | |
| Signa | tur : | 11:11 | y. Ch | we Date: <u>Dec. 29</u> 20 | 003 |
| Reg. N | Number: | <u>52,580</u> | - 0 | Telephone Number: (206) 292-8600 | |
| | | | | | |

Our Reference: 42P18118 Patent

PUSHING CAPABILITIES INTO FIRMWARE BY AN OPERATING SYSTEM

Inventors: Michael A. Rothman and Vincent J. Zimmer

Respectfully submitted,

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

Anthony H. Azure Reg. No. 52,580

"Express Mail" mailing label number: _EV320119594US

Date of Deposit: _December 29, 2003

I hereby certify that I am causing this paper or fee to be deposited with the United States Postal Service "Express Mail Post Office to Addressee" service on the date indicated above and that this paper or fee has been addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Adrian Villarreal

(Typed or printed name of person mailing paper or fee)

December 29, 200 3

(Signature of person mailing paper or fee) (Date signed)

| Title: PUSHING CAPABILITIES INTO | FIRMWARE BY AN OPERATING SYSTEM |
|---|---|
| RSTZ File No. 42P18118 | Atty/Secty Initials: AHA/av |
| BSTZ File No.: 4ZP18118 Date Mailed: December 29, 2003 | Docket Due Date: |
| | ent & Trademark Office on the date stamped hereon: |
| Amendment/Response (pgs.) | Express Mail No.: EV320119594US Check No. 3300 |
| Amendment/Response (pgs.) Appeal Brief (pgs.) (in triplicate) | Month(s) Extension of Time Amt: |
| Application - Utility (22 pgs., with cover and abstract) | ☐ Information Disclosure Statement & PTO-1449 (_ pgs.) ☐ Check No |
| Application - Culty (222 pgs., with cover and austract) Application - Rule 1.53(b) Continuation (pgs.) | Issue Fee Transmittal Amt: |
| Application - Rule 1.53(b) Divisional (pgs.) | □ Notice of Appeal |
| Application - Rule 1.53(b) CIP (pgs.) | Petition for Extension of Time |
| Application - Rule 1.53(d) CPA Transmittal (pgs.) | Petition for |
| Application - Design (pgs.) | Postcard |
| | Power of Attorney (pgs.) |
| Application - Provisional (pgs.) | Preliminary Amendment (pgs.) |
| Assignment and Cover Sheet | Reply Brief (pgs.) |
| Certificate of Mailing | Response to Notice of Missing Parts |
| Declaration & POA (5_ pgs.) | ☐ Small Entity Declaration for Indep, Inventor/Small Business |
| Disclosure Docs & Orig & Copy of Inventor's Signed Letter (pgs.) | Transmittal Letter, in duplicate |
| | Fee Transmittal, in duplicate |